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RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND ALL FORMS OF DISCRIMINATION

Report of the High Commissioner for Human Rights submitted pursuant to Commission resolution 1998/26

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Introduction

1. The General Assembly, in its resolution 52/111 of 12 December 1997 entitled "Third Decade to Combat Racism and Racial Discrimination and the convening of a world conference against racism, racial discrimination, xenophobia and related intolerance", decided to convene a World Conference against racism, racial discrimination, xenophobia and related intolerance, to be held not later than the year 2001. The Conference will be action-oriented and focus on practical measures to eradicate racism, including measures of prevention, education and protection and the provision of effective remedies. One of its aims will be to increase the effectiveness of United Nations programmes aimed at eradicating contemporary forms of racism and racial discrimination.

2. In its resolution 1998/26 of 17 April 1998, the Commission on Human Rights invited the High Commissioner for Human Rights to submit to the Commission at its fifty-fifth session a preliminary analytical study on the objectives of the World Conference against Racism and Xenophobia as identified by the General Assembly in its resolution 52/111. The Commission then invited States, the specialized agencies, the competent United Nations bodies, international organizations and non-governmental organizations to contribute to the preparatory process for the Conference by making known their views on these objectives. The Commission also invited the High Commissioner to submit a compendium of references to publications and other works on racism, racial discrimination, xenophobia and related intolerance. The present report is submitted pursuant to this resolution.

3. The seven main objectives proclaimed by the General Assembly in paragraph 28 (a) to (f) of resolution 52/111 underlie the format of this first general report, which consists of two parts. The first contains a brief analytical outline of the objectives of the World Conference while the second presents a brief review of the views communicated to the Office of the High Commissioner for Human Rights by certain States, United Nations bodies and NGOs. The annex contains an initial and not exhaustive list of publications, studies, reports and documents prepared by United Nations bodies and regional organizations on racism and xenophobia.

4. In addition to the present document, which concentrates on the objectives of the World Conference, the secretariat has prepared a number of information papers that will be examined by the open-ended working group which is to meet during the Commission's fifty-fifth session in order to review and formulate proposals for consideration by the Commission and for possible forwarding to the Preparatory Committee at its first session. These papers will usefully supplement the preliminary analysis presented in the first part below.

* * *

First part

The objectives of the World Conference against Racism:

A brief analytical outline

Introductory note

5. Since it is no easy matter to undertake an analysis, even of a preliminary nature, of the seven principal objectives of the World Conference in view of the scope of the topics proposed by the General Assembly, it was decided to tackle this task by first examining the various decisions, recommendations and programmes of action adopted by selected United Nations bodies and mechanisms and then drawing attention to measures that have been implemented and to activities carried out or proposed by way of follow-up action, after which an attempt is made to dovetail the results into the seven objectives fixed by the General Assembly.

6. The principal sources used for purposes of this analysis were the various reports of the Committee on the Elimination of Racial Discrimination, as well as those of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Programmes of Action of the Second and Third Decades to Combat Racism and Racial Discrimination, the report of the Second World Conference to Combat Racism and Racial Discrimination, and in particular the Programme of Action adopted by the Conference, several reports by the Special Rapporteur on contemporary forms of racism, the conclusions of two seminars organized by the Office of the High Commissioner for Human Rights - the first on the political, historical, economic, social and cultural factors contributing to racism and the other on the role of Internet - the conclusions of the Working Group of Experts on Human Rights of Migrants and, lastly, a number of studies dealing with racism and racial discrimination prepared by the Committee on the Elimination of Racial Discrimination.

I. REVIEW OF PROGRESS MADE IN THE FIGHT AGAINST RACISM AND XENOPHOBIA AND REAPPRAISAL OF OBSTACLES TO FURTHER PROGRESS

A. The progress made

1. At the international level

7. In 1945 and again in 1948 the United Nations embarked resolutely on the task of combating racism by rejecting the concept of racial distinction in its Charter (Art. 1 (3)) and in the Universal Declaration of Human Rights (art. 2); this position was subsequently confirmed in the two Covenants of 1996, namely, the International Covenant on Economic, Social and Cultural Rights (art. 2, para. 2) and the International Covenant on Civil and Political Rights (art. 2, para. 1). Pursuing its task, in 1963 it adopted the United Nations Declaration on the Elimination of All Forms of Racial Discrimination (including policies of apartheid - referred to in article 5) and, in 1965, the International Convention on the Elimination of All Forms of Racial Discrimination. This Convention constitutes the most widely recognized

of the international instrument designed to combat racism for on entering into force on 4 January 1969 it was the one that had been accepted by the largest number of countries. On 31 July 1998, it had been ratified and acceded to by 150 States.

8. The merit of the Convention was that it defined the measures that States parties undertook to adopt in order to eliminate racial discrimination (arts. 1 to 7). Article 1 clearly defines racial discrimination in the broad sense and describes the scope of application of the instrument. The provisions of the Convention also place respect for the obligations of States parties under international control and establish the three following procedures for this purpose: the preparation of mandatory reports by all States parties, a petitions procedure at the inter-State level and, lastly, an optional procedure authorizing the submission of communications by individuals or groups of individuals (art. 14).

9. It was in order to monitor the application of these three procedures that the Committee on the Elimination of Racial Discrimination was established. The Committee also considers questions of racial discrimination in trusteeship or non-autonomous territories; it is required to report on all its activities, and also submit its opinions, suggestions and general recommendations, to the United Nations General Assembly. Its establishment represented one of the most remarkable achievements in the context of efforts to combat racism. In order to adapt to new situations, the Committee has proposed new types of action, such as early-warning measures and emergency procedures, and has paid particular attention to the application of the Convention in States whose reports are long overdue.

10. The case of South Africa offers an example of the effectiveness of efforts to combat racism, since the international community took resolute action against one of the most flagrant instances of massive human rights violations that has ever occurred - the policy of apartheid. The reaction of the United Nations was impressive: from 1952 up to the end of the apartheid regime, a large number of measures, resolutions and conventions were adopted to combat the racial discrimination practised under this system. Nevertheless, despite the end of the apartheid regime, resistance persists on the part of certain segments of society which still espouse racist ideas.

2. At the national level

11. The programmes of action adopted by the General Assembly in its efforts to curb racism and racial discrimination were conceived in terms of decades. Two decades have already elapsed and the Third Decade to Combat Racism and Racial Discrimination began in 1993. Programmes during the first two decades were focused on sensitizing public opinion and mobilizing national legislatures. As a result, several Governments promulgated laws designed to combat discrimination and a not insignificant number of countries incorporated provisions to that effect in their Constitutions and specified ways in which it should be curbed (civil and criminal legislation or decrees).

B. Existing obstacles

12. The efforts of the international community notwithstanding, the principal objectives of the first two Decades to Combat Racism and Racial Discrimination have not been attained and millions of human beings continue to be victims of various forms of racism and racial discrimination. At the international level the problem therefore remains alarming and is becoming more acute owing to the current immigration crisis. The rise of racist and xenophobic ideas in political circles, in the sphere of public opinion and in society at large is particularly alarming.

13. In its most recent resolution on the subject of racism and racial discrimination (1998/26), the Commission on Human Rights notes with deep concern that, despite continuing efforts, contemporary forms of racism, racial discrimination, any form of discrimination against, inter alia, Blacks, Arabs and Muslims, xenophobia, Negrophobia, anti-Semitism and related intolerance persist and are even growing in magnitude, incessantly adopting new forms and becoming increasing violent, and reveal a tendency to be based on racial, religious, ethnic, cultural and national superiority or exclusivity.

14. The Commission was also mindful of General Assembly resolution 45/105 of 14 December 1990, in which the Assembly declared once again that all forms of racism and racial discrimination, particularly in their institutionalized form, such as apartheid, or resulting from official doctrines of racial superiority or exclusivity, were among the most serious violations of human rights in the contemporary world and must be combated by all available means.

15. The General Assembly, in resolution 52/111, therefore decided to convene a World Conference against racism, racial discrimination, xenophobia and related intolerance, to be held not later than the year 2001. The Conference will be action-oriented and focus on practical measures to eradicate racism, including measures of prevention, education and protection and the provision of effective remedies; it will in particular endeavour to increase the effectiveness of United Nations programmes aimed at combating contemporary forms of racism and racial discrimination.

II. ENSURING RESPECT FOR EXISTING STANDARDS AND INSTRUMENTS TO COMBAT RACISM AND XENOPHOBIA

A. Implementation of international instruments

16. On two occasions at least (in resolutions 1997/74 and 1998/26), the Commission on Human Rights invited all States which had not yet done so to consider ratifying or acceding to the relevant international instruments, and in particular the International Convention on the Elimination of All Forms of Racial Discrimination; it also called upon States which had not yet done so to implement these instruments. The question of the universal ratification of the Convention is, in point of fact, one that the Conference is to examine.

17. The Programme of Action adopted by the Second World Conference to Combat Racist and Racial Discrimination in August 1983 contained an appeal to States which had not yet done so to consider ratifying or acceding to, as soon as possible, other relevant international instruments, such as the Convention on

the Prevention and Punishment of the Crime of Genocide (1948), the International Covenant on Economic, Social and Cultural Rights (1996), the International Covenant on Civil and Political Rights (1996), the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (1968), the Discrimination (Employment and Occupation) Convention (1958) of the International Labour Organization, the UNESCO Convention against Discrimination in Education (1960) and the Convention on the Elimination of All Forms of Discrimination against Women (1979).

18. In the two resolutions mentioned above, the Commission on Human Rights requested States parties to the Convention on the Elimination of Racial Discrimination which had not yet done so to consider the possibility of making the declaration provided for in article 14, which recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and examine communications from individuals. This would enable the Committee to contribute in larger measure to the enforcement of the standards embodied in the Convention.

19. Furthermore, in its most recent resolution (1998/26), the Commission called upon States parties that had not yet done so to submit initial or periodic reports in accordance with article 9 of the Convention.

B. Adoption or revision of national legislation

20. At the domestic level, the Second World Conference to Combat Racism and Racial Discrimination, in its Programme of Action, suggested that States should consider the urgent enactment, as a matter of the highest priority, of appropriate legislation and other suitable measures to prohibit and bring to an end racial discrimination, to abrogate, amend, rescind or nullify any policies or regulations that have the effect of creating or perpetuating racial hatred and, with due regard to the principles embodied in the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, the UNESCO Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Radicalism, Apartheid and Incitement to War (1978), the UNESCO Declaration on Race and Racial Prejudice (1978), and the rights set forth in the International Convention on the Elimination of All Forms of Racial Discrimination, to declare the dissemination of ideas based on racial superiority and hatred to be an offence punishable by law.

21. The Conference also recommended that:

(a) Governments, where necessary, should guarantee non-discrimination on grounds of race and equal rights for all individuals in their constitutions and legislations;

(b) Governments, where necessary, should undertake to review and update all national legislation and remove all discriminatory provisions;

(c) Legislation should be consistent with international standards embodied in relevant international instruments;

(d) Victims of discrimination should be informed and advised of their rights, by all possible means, and given assistance in securing those rights;

(e) Governments should, where necessary, establish appropriate and effective mechanisms, including conciliation and mediation procedures and national commissions, to ensure that such legislation is enforced effectively, and thereby to promote equality of opportunity and good race relations.

22. Lastly, in the opinion of the Conference, States should, within the framework of their national legislation and policy and according to their means, set up national institutions for the promotion and protection of human rights. National institutions should study legal developments and review the laws and policies of the national Government with a view to ensuring the elimination of all discriminatory laws, prejudices and practices based on race, sex, dissent, colour and national and ethnic origin.

III. SENSITIZING PUBLIC OPINION TO RACISM AND XENOPHOBIA

23. In June 1983, the Committee on the Elimination of Racial Discrimination prepared, for the Second World Conference, a study on the implementation of article 7 of the Convention on the Elimination of All Forms of Racial Discrimination entitled "Teaching, education, culture and information as means of eliminating racial discrimination" (A/CONF.119/11). According to the study, it was the task of States, which were responsible for the application of the Convention, to attack the problem at its roots by eliminating the causes of racial prejudices which give rise to social tensions whose harmful effects are more than apparent. It is probably for that reason that States are called upon to comply with the provisions of article 7 of the Convention which stipulates that "States parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination ...".

24. It is interesting to note that, already in 1983, the Committee on the Elimination of Racial Discrimination emphasized that the authorities must realize that it was their duty to make public opinion aware of the odious nature and evils of racial discrimination and to formulate and implement "public awareness" programmes to curb all forms of racial discrimination. This desire to arouse public awareness is therefore directly related to the third objective of the World Conference against Racism. In its study, the Committee recommended various measures to be taken at the domestic level (according priority to teaching, education and information) and at the international level; these measures, described in detail in chapter II of the study, are discussed briefly below.

A. Domestic measures

1. The educational value of legal or jurisdictional institutions

25. Because rules relating to equal rights are being invoked with increasing frequency, Governments are beginning to attach genuine importance to them and individuals are becoming more aware of the existence of such rights and of the possibility of exercising them by appropriate legal procedures.

26. The institutions set up at the international level are of a training and educational nature, since they have an undeniable influence on public opinion. One of the many purposes of these institutions which safeguard human rights and fundamental freedoms and protect individuals against racism is to provide humanist and humanitarian education for Governments and citizens alike.

2. Appropriate teaching

27. It would be desirable to provide education that would strengthen the position of oppressed groups so that they become aware of their possibilities, resist the violation of their rights, and are informed of the methods and legal remedies available for resisting arbitrary and unjust domination.

28. The provision of anti-racist teaching implies the existence of an appropriate teaching programme. The cultural and historical values of national minorities or migrant workers should be taught to members of the majority of the country in which these minority or ethnic groups live. Ethnic, national or linguistic minorities should also be offered the possibility of using their own languages in their social relations or in judicial or administrative proceedings on a perfectly equal footing.

29. It should be added that legal training, however sketchy, is essential: pupils and students must be aware that they have equal rights and duties, even though at present there are legal limits to the exercise of such rights - limits which must be pushed back. All citizens, particularly those who suffer unequal or repressive treatment, should be made aware that national remedies and, after the exhaustion of national remedies, international remedies are available to them if their rights are violated (further details of these international remedies may be found in paragraph 54 of the study).

3. Appropriate education

30. Teaching is the transmission of knowledge, whereas education is a system designed to train and develop the human personality. The family, the school and the university should be places that not only impart knowledge that will pave the way for a professional career but also inculcate moral and social attitudes calculated to promote the egalitarian and pluralistic ideal.

4. The systematic use of the mass media to combat racial discrimination

31. The Statement on Race and Racial Prejudice adopted by the UNESCO General Conference on 27 November 1978 defines the role that the media can play in combating racism:

> "The mass media and those who control or serve them, as well as all organized groups within national communities, are urged - with due regard to the principles embodied in the Universal Declaration of Human Rights, particularly the principle of freedom of expression - to promote understanding, tolerance and friendship among individuals and groups and to contribute to the eradication of racism ..." (art. 5, para. 3).

32. Action must therefore be taken, in the campaign to combat racial discrimination, to ensure that messages transmitted by the mass media (television, radio, cinema, the press, etc.) and, more particularly, those addressed to children and young people, do not directly or indirectly portray stereotypes or contain clichés or slogans likely to foster racial prejudice. On the contrary, the media should endeavour to familiarize people, in a universal perspective, with the many aspects (philosophical or legal, literary, artistic) of unfamiliar civilizations.

B. International measures

33. It is emphasized in the study of the Committee on the Elimination of Racial Discrimination that the Committee is the main organ responsible for verifying whether the States parties to the Convention are complying with the obligations they have assumed and giving its views on the behaviour of States parties vis-à-vis their international obligations in respect of racial discrimination.

34. The duty of States to give an account, in their periodic reports, of the progress made in their systems of teaching, education and culture and possibly a certain fear of being taken to task before world public opinion for failing to fulfil their responsibilities serve to encourage a sustained effort to bring about the necessary improvements.

IV. FORMULATION OF RECOMMENDATIONS ON WAYS OF INCREASING THE EFFECTIVENESS OF UNITED NATIONS PROGRAMMES TO COMBAT RACISM AND XENOPHOBIA

35. In section VI of resolution 1998/26 dealing with the World Conference, the Commission on Human Rights invites several bodies and mechanisms dealing with human rights to contribute to the preparatory process for the Conference.

A. Request addressed to the High Commissioner for Human Rights

36. The High Commissioner is invited to devise and implement, with the Department of Public Information of the United Nations Secretariat, a world information campaign aimed at sensitizing world public opinion on the importance and objectives of the Conference, to publish in all the official languages an information pamphlet to be made available to non-governmental organizations, the media and the general public, and to inform the Preparatory Committee of the Conference of developments in this regard.

37. The reply of the Department of Public Information to a note verbale of the High Commissioner dated 30 September 1998 is analysed in the second part of this document (paras. 81-84).

B. Request addressed to non-governmental organizations

38. Non-governmental organizations are invited to participate fully in the preparatory process and, in accordance with the objectives of the Conference and on the basis of their experience, to make concrete proposals regarding

action to be undertaken in future, directly or working with Governments, aimed at fighting the scourge of racism, and to submit their recommendations in this regard to the Preparatory Committee through the High Commissioner.

39. On 30 November 1998, seven NGOS had replied to the note verbale of 30 September 1998. Their proposals are analysed in paragraphs 90, 93, 94, 98, 99 and 110-112 below.

C. Request addressed to the Committee on the Elimination of Racial Discrimination

40. The Committee is invited to give high priority to the preparatory process for the World Conference, to present to the Commission at its fifty-fifth session and to the Preparatory Committee its contribution to the objectives of the Conference, including undertaking a series of studies, and to participate actively in the preparatory process and at the Conference itself.

41. As stated in the introduction to the present document (para. 4) a number of information papers have been prepared for the open-ended working group responsible for formulating proposals concerning the objectives of the Conference. Some of these papers were prepared by members of the Committee on the Elimination of Racial Discrimination.

D. Request addressed to the Sub-Commission on Prevention of Discrimination and Protection of Minorities

42. The Sub-Commission is invited to carry out studies without delay, within the framework of the objectives laid down in General Assembly resolution 52/111, and to submit its recommendations to the Commission at its fifty-fifth session and, through the Commission, to the Preparatory Committee.

43. At its fiftieth session, in August 1998, the Sub-Commission adopted resolution 1998/6 relating to the World Conference; this resolution contains two decisions, one dealing with the preparation of a paper on proposals for the work of the Conference (para. 9) and the other concerning studies within the framework of the objectives of the Conference (para. 10). It also contains a recommendation concerning overall themes (para. 11) and a suggestion concerning subjects to which priority should be accorded (para. 13).

E. Request addressed to the Commission's Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

44. Whereas section IV of resolution 1998/26 deals specifically with the Special Rapporteur's work for the Commission (paras. 25 to 36), section V contains the request addressed to the Special Rapporteur, who is invited to contribute to the preparatory work for the World Conference by identifying major issues to be considered within the framework of the major objectives indicated.

45. One of the information papers prepared for the open-ended working group (see para. 4 above) contains the recommendations made by the Special Rapporteur on contemporary forms of racism.

F. Request addressed to the relevant bodies and mechanisms of the United Nations and to regional organizations

46. The relevant bodies and mechanisms of the United Nations, the specialized agencies and regional and international organizations are invited to contribute effectively to the preparatory process for the World Conference and to forward their recommendations to the Preparatory Committee through the High Commissioner.

47. By 31 December 1998 only the Department of Public Information, the Department of Economic and Social Affairs and the Office of the United Nations High Commissioner for Refugees had replied to the note verbale of 30 September 1998. Their activities and proposals for action are analysed in paragraphs 81-84, 92 and 108, as well as 87, 88, 97 and 109 below.

V. REVIEW OF THE POLITICAL, HISTORICAL, ECONOMIC, SOCIAL, CULTURAL AND OTHER FACTORS LEADING TO RACISM AND XENOPHOBIA

48. Factors which give rise to racism and racial discrimination were examined at the seminar on the political, historical, economic, social and cultural factors contributing to racism, racial discrimination and apartheid held at Geneva from 10 to 14 December 1990. The primary causes of racism and racial discrimination are deeply embedded in the historical past and are determined by a number of economic, political, social and cultural factors. The nature of the problem of racism is global and no inhabited continent has escaped this scourge. Racial consciousness is almost universal and manifested itself in widely diverse places and at various periods throughout history. The historical and global manifestations of racism and racial discrimination are evident in different areas but have several points in common, such as conquest, the search for captives for racial slavery, the imposition of racial segregation and later of apartheid, the creation of a racial ideology, the imposition of racial exclusion laws and imperialism.

49. Objections could be raised to a narrow concept of racial discrimination based solely on skin colour. Quite often racial discrimination involving extreme violence have been perpetrated on grounds other than race, as was the case of discrimination against ethnic minorities. In any event, white-white, black-black and yellow-yellow clashes are not isolated phenomena in mankind's history. In the light of that reality, the Convention on the Elimination of All Forms of Racial Discrimination adopted a broader definition of the concept of racial discrimination which also included descent and national or ethnic origin.

50. Racism is not inborn, but is learnt from the surroundings. It has deep roots in ignorance, contempt for others, egocentrism, thirst for power, a superiority complex and a striving for domination.

51. Some consider that racism plays on the ambiguity of society. Dominant political and cultural groups deny the cultures of minority groups. The concept of racial superiority is particularly alluring to the lowest segments of society who are prepared to use any means whatever to inflate their self-esteem.

52. Some aspects of racial discrimination are of a historical nature, such as the haphazard delimitation of frontiers which created spheres of influence, protectorates and colonies, resulting in the arbitrary division of areas inhabited by peoples of different cultures, languages and religions.

53. Other factors conducive to the emergence of racism are economic. For example, when societies are confronted by economic difficulties and problems connected with modernization, racial minorities and immigrants only too often become the target of discontent. Race, colour, national origin, religion, social origin and political opinions are the most frequent reasons for discrimination in societies which are in a state of upheaval or in the throes of political and economic change. Social well-being and tolerance of others are often interdependent. The concept of minorities is changing, not because of their behaviour but because of the social well-being of the people around them.

54. These economic factors in turn have political consequences; in Europe, for example, the economic crisis tends to encourage extremist political movements which foment racial prejudice.

55. In the historical process, religion has very often been a dominant factor encouraging discrimination. For centuries all religions have inevitably been involved in the political process and have, inter alia, often used doctrine to justify arguments of a racial nature.

56. Racism cannot be completely abolished as long as racial myths and stereotypes remain in place. It is for that reason that States bear a responsibility that goes beyond the creation of a suitable legal system and are obliged to take educational and preventive measures to combat the existence of racial prejudice.

VI. FORMULATION OF RECOMMENDATIONS FOR THE ADOPTION OF ADDITIONAL NATIONAL, REGIONAL AND INTERNATIONAL MEASURES TO COMBAT RACISM AND XENOPHOBIA

57. Even the initial analysis of the recommendations and proposals made by several United Nations bodies and mechanisms active in the field of human rights makes it possible to single out a number of major themes that could be considered by the World Conference with a view to formulating recommendations for the adoption of additional measures to combat racism at the national, regional and international levels.

A. Questions relating to migrant workers

58. In the report on its first two sessions (November 1997 and February 1998), the intergovernmental working group of experts on the human

rights of migrants (E/CN.4/1998/76) presented a number of preliminary conclusions and mentioned the following elements for inclusion in its final report:

(a) A review of relevant international instruments;

(b) The promotion of the ratification of relevant United Nations and ILO conventions, in particular the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

(c) The need to introduce a gender perspective as well as a children dimension when addressing the problems of migrants;

(d) The need to promote full compliance with the relevant articles of the Vienna Convention on Consular Relations so as to ensure that migrants can communicate with their respective consular representatives in the countries in which they found themselves;

(e) The need to ensure the promotion and protection by all Governments of the human rights of undocumented or irregular migrants; and

(f) The need for a permanent United Nations mechanism to serve as a clearing-house for information on questions relevant to the full protection of the human rights of migrants.

59. The views of the Cuban Government and of the non-governmental organization North-South XXI on the question of migrants are set out in paragraphs 96 and 93 below.

B. Questions relating to women

60. The Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-ninth session adopted resolution 1997/5 on racism and racial discrimination in which, among other things, it expresses its belief that participants in the World Conference should carefully consider the complicated interplay of discrimination based on race and discrimination based on other grounds, such as gender.

61. In two other resolutions dealing specifically with women and the girl child, the Sub-Commission draws attention to article 5 of the Convention on the Elimination of All Forms of Discrimination against Women, which provides that States parties are to take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes (resolution 1997/8).

62. Moreover, the Sub-Commission is deeply concerned by acts of violence committed against women, and by the fact that some groups of women are especially vulnerable to acts of discrimination, violence and abuse based on gender, including women belonging to minority groups, indigenous women,

refugee women, women migrant workers, women living in rural communities, women living in poverty, women with disabilities, elderly women, women in situations of armed conflict and girl children (resolution 1997/9).

C. Questions relating to indigenous peoples

63. The Committee on the Elimination of Racial Discrimination has always paid particular attention to the rights of indigenous peoples. For example, in its General Recommendation on the subject adopted on 18 August 1997 at its fifty-first session, the Committee called in particular upon States parties to:

(a) Recognize and respect the indigenous distinct culture, history, language and way of life as an enrichment of the State's cultural identity and to promote its preservation;

(b) Ensure that members of indigenous peoples are free and equal in dignity and rights and free from any discrimination, in particular that based on indigenous origin or identity;

(c) Provide indigenous peoples with conditions allowing for a sustainable economic and social development compatible with their cultural characteristics;

(d) Ensure that members of indigenous peoples have equal rights in respect of effective participation in public life and that no decisions relating to their rights and interests are taken without their consent;

(e) Ensure that indigenous communities can practise and revitalize their culture and their customs and practise their languages.

64. In this Recommendation, the Committee also especially called upon States parties to recognize and protect the rights of indigenous peoples to own, develop, control and use their communal lands, territories and resources and, where they have been deprived of their lands and territories traditionally owned or otherwise inhabited or used without their free and informed consent, to take steps to return those lands and territories. Only when this is for factual reasons not possible, the right to restitution should be substituted by the right to just, fair and prompt compensation. Such compensation should as far as possible take the form of lands and territories.

D. Creation of evaluation and coordination machinery

65. In its Programme of Action, the Second World Conference to Combat Racism and Racial Discrimination recommended the creation of a regular system of review and appraisal to enable Member States, all organizations of the United Nations system, including relevant regional bodies and non-governmental organizations, to assess the measures taken towards achieving the aims and objectives of the Second Decade. This idea could be used in future decades as well.

66. In a similar vein, the Commission on Human Rights, in resolution 1998/26, invites States and regional organizations to set up at the

national or regional level a coordination structure responsible for launching and promoting preparations for the World Conference, and especially for sensitizing national public opinion on the importance and objectives of the Conference.

E. Use of the Internet

67. At the Second Summit of Heads of State and Government at Strasbourg (10 and 11 October 1997) the Council of Europe announced the creation of an Internet site devoted to combating racism and intolerance (www.ecri.coe.fr). The worldwide web can be used to transmit information designed to combat racism and discrimination, and regional anti-racist bodies should make greater use of the Internet for educational and information purposes.

68. The expert seminar on the role of the Internet in the light of the provisions of the International Convention on the Elimination of all Forms of Racial Discrimination, organized by the Office of the High Commissioner for Human Rights in November 1997 (E/CN.4/1998/77/Add.2) noted with deep concern that the Internet was being used to an increasing extent to disseminate messages inciting racial hatred and discrimination throughout the world. Participants reached the conclusion that continued cooperation and the adoption of international juridical measures to prohibit racism on the Internet would facilitate preparations for the World Conference against Racism.

69. The views of the Cuban Government and the NGO Dominican Union of Journalists for Peace on the subject of the Internet are presented in paragraphs 89 and 90 below.

F. Prevention of racial discrimination: early warning and emergency procedures

70. According to the report of the Committee on the Elimination of Racial Discrimination on its fiftieth and fifty-first sessions (A/52/18), the Committee at its forty-second session (1993) noted the conclusion adopted by the fourth meeting (October 1992) of persons chairing the human rights treaty bodies that each treaty body should undertake an urgent examination of all possible measures that it might take, within its competence, both to prevent human rights violations from occurring and to monitor more closely emergency situations of all kinds arising within the jurisdiction of States parties; where procedural innovations are required for this purpose, they should be considered as soon as possible (A/47/628, para. 44).

71. After discussing that conclusion, the Committee adopted a working paper in which it noted that efforts to prevent serious violations of the International Convention on the Elimination of all Forms of Racial Discrimination should include early warning measures and urgent procedures: (a) early warning measures would be aimed at addressing existing problems so as to prevent them from escalating into conflicts and would also include confidence-building measures to identify and support structures to strengthen racial tolerance and solidify peace in order to prevent a relapse into conflict in situations where it has occurred. The decision to adopt an early warning measure would be based on a series of criteria to be decided upon such

as, for example, the lack of a legislative basis for punishing the perpetrators of acts of racial discrimination; (b) urgent procedures, on the other hand, would aim at responding to problems requiring immediate attention to prevent or limit the scale of serious human rights violations; criteria for initiating an urgent procedure could include the generalization or aggravation of racial discrimination (A/52/18, para. 16).

G. Affirmative action

72. In the conclusions of the report he submitted to the fifty-first session of the General Assembly (1996), the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance suggested that the General Assembly should explore the possibility of establishing a fund to assist ethnic or racial communities that are victims of racial discrimination. He also suggested that an appropriate affirmative action mechanism might be established for those ethnic communities (A/51/301, para. 58).

VII. FORMULATION OF RECOMMENDATIONS FOR ENSURING THAT THE UNITED NATIONS HAS THE FINANCIAL RESOURCES NECESSARY TO COMBAT RACISM AND XENOPHOBIA

73. In its resolution 1998/26, the Commission on Human Rights regretted the continued lack of interest, support and financial resources for the Third Decade to Combat Racism and its Programme of Action (para. 15). It also stated that the General Assembly should consider the possibility of financing the Programme of Action, including through the United Nations regular budget (para. 16). It further recommended that the activities of the Programme of Action should be focused towards the preparatory process for the World Conference (para. 59).

74. Yet if the United Nations is to be assured of the resources, financial and other, it requires to combat racism, racial discrimination, xenophobia and related intolerance, the World Conference should not only recommend financing the Programme of Action and provide the Office of the High Commission for Human Rights with the financial and human resources it needs to implement the activities it decides upon to combat racism, but above all indicate how such resources can be obtained. For that reason, the General Assembly should be requested to consider all possible means of financing the Programme of Action, including through the United Nations regular budget.

* * *

Second part

Brief review of certain replies of Governments, United Nations bodies and non-governmental organizations

Introductory note

75. On 30 September 1998, the secretariat sent a note verbale inviting Governments, specialized agencies and intergovernmental and non-governmental organizations to provide any views, information and comments they wished to

make on the objectives of the World Conference as formulated in General Assembly resolution 52/111. As of 30 January 1999, replies had been received from the Governments of Cuba, Finland, France, the Islamic Republic of Iran, Peru, Turkey and the United States of America. Substantive replies were also received from the following United Nations bodies: Department of Public Information (DPI), Department of Economic and Social Affairs and the Office of the United Nations High Commissioner for Refugees (UNHCR). Contributions were also received from the following non-governmental organizations: Anti-Racism Information Service, Caucasians United for Reparations and Emancipation, Dominican Union of Journalists for Peace, International Human Rights Association of American Minorities, International League for Human Rights, North-South XXI and Oxfam.

76. For the purpose of this report, a summary of the submissions received by the secretariat is presented according to the first six objectives of the World Conference as set out by the General Assembly in its resolution 52/111. No information was submitted in respect of the seventh objective (recommendations for ensuring financial resources). The replies can be consulted at OHCHR.

I. REVIEW OF PROGRESS MADE IN THE FIGHT AGAINST RACISM AND XENOPHOBIA AND REAPPRAISAL OF OBSTACLES TO FURTHER PROGRESS

77. The Government of Cuba expressed the hope that one of the main objectives of the Conference, in addition to assessing the activities carried out in recent years, would be to analyse obstacles impeding progress in this area and to formulate ways and means of addressing the resurgence of racist manifestations.

78. With respect to progress made in the fight against racism, racial discrimination and intolerance in Europe, the Government of Finland reported that the European Union has increased its efforts in the fight against racism by developing a global strategy to combat this phenomenon. During 1997, European Year against Racism, several activities were developed, including the establishment of a Monitoring Centre on Racism in Vienna. The Government of Finland also highlighted the long-standing work in the area of racism and minority protection carried out by the Council of Europe. Finland suggested that, in order to tackle the obstacles to further progress in the area of racism and racial discrimination, it was necessary to address the forms these manifestations take and the particular problems they pose in each region in order to begin to identify relevant remedies.

II. ENSURING RESPECT FOR EXISTING STANDARDS AND INSTRUMENTS TO COMBAT RACISM AND XENOPHOBIA

79. The Governments of Cuba and the Islamic Republic of Iran stressed that the World Conference provides a good occasion to encourage the universal ratification of the International Convention on the Elimination of All Forms of Racial Discrimination. Reference was also made to the need to implement the Convention as well as the declarations, resolutions and decisions adopted by the United Nations on the subject.

III. SENSITIZING PUBLIC OPINION TO RACISM AND XENOPHOBIA

80. Most of the Governments and organizations that replied reported on the activities they have undertaken to increase awareness among policy makers and members of civil society of issues pertaining to racism, racial discrimination and intolerance.

81. The Department of Public Information of the United Nations (DPI) reported on a wide range of activities against racism and racial discrimination organized within the framework of the International Decade for Human Rights Education (1995-2004), the International Decade of the World's Indigenous People (1995-2004), and the Third Decade to Combat Racism and Racial Discrimination (1993-2003). For example, the Department's focus in 1998 was on the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights, one of the earliest efforts of the United Nations to combat racism. The DPI press kit for the anniversary included a background article on contemporary forms of racism and the work of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

82. Awareness about racism and racial discrimination has also been raised by DPI in the context of annual observances and specific events. For example, on the occasion of the 1998 International Day for the Elimination of Racism, many activities were undertaken worldwide by the United Nations information centres and services. These initiatives included production of television public service announcements on racial discrimination, interviews, symposia, lectures, dissemination of brochures and press kits, and the translation and dissemination of the Secretary-General's message on the theme of the Day.

83. DPI has also undertaken media outreach campaigns and the preparation of special radio, TV and printed materials. The Department's weekly television news magazine, "UN in Action", which is broadcast in more than 100 countries and in five languages, has produced 12 programmes on issues relating to racism and intolerance, including indigenous people, among other programmes on topics of human rights and development. "World Chronicle", a weekly TV programme featuring United Nations officials interviewed by Headquarters-based journalists, also continues to address human rights and racism. United Nations Radio continues to cover racial discrimination, racism and related issues, including ethnic conflicts throughout the world, in its daily news bulletins, weekly current affairs magazines, and feature programmes. The 1998 edition of the UN Briefing Paper, entitled "Human Rights Today: A United Nations Priority", includes details of the Organization's activities against racism, racial discrimination, xenophobia and related intolerance. In the most recent edition of the Yearbook of the United Nations, an annual DPI publication, an entire section is dedicated to the fight against racism and racial discrimination, while another section reflects activities against intolerance. DPI has also used its CyberSchoolBus, an educational Internet site targeted at students and educators, to enhance its educational capabilities and to develop a dialogue with educators outside the United Nations system. The site offers a wealth of information, activities and teaching resources on the issue of racism and racial discrimination.

84. Among its other activities, DPI also holds information briefings for students and NGOs, both at the Secretariat and at outside locations, some of which have focused specifically on racism, discrimination and intolerance.

85. The communications strategy to be developed to promote and publicize the World Conference on Racism will be presented to the Joint United Nations Information Committee (JUNIC) to facilitate cooperation and coordination of public information efforts within the United Nations system. Details of the DPI strategy and multi-media activities may require identification of additional funding.

86. In its answer, the Government of the United States of America stressed that with a view to increasing the level of awareness about the scourges of racism and racial discrimination, xenophobia and related intolerance, President Clinton had launched a nationwide dialogue on race in 1997 built around a five-point strategy:

(a) articulating a vision of racial reconciliation and a just, unified America;

(b) helping educate the nation about racism;

(c) promoting a constructive dialogue and working through the difficult and controversial issues that surround race;

(d) recruiting and encouraging leadership at all levels to help bridge racial divides; and

(e) finding, developing and implementing solutions in critical areas such as education, economic opportunity, housing, health care, crime and the administration of justice for individuals, communities, corporations, and government at all levels for all races.

87. The Office of the United Nations High Commissioner for Refugees (UNHCR) has undertaken a number of initiatives with a view to increasing awareness about racism and racial discrimination, xenophobia and related intolerance. These initiatives have included the publication and use of a training module for staff entitled "Human Rights and Refugee Protection" in which a specific chapter addresses racial discrimination between different groups of refugees and between refugees and citizens of the country of asylum, and protection against xenophobia and racist violence. In addition, the public information section of UNHCR has undertaken to raise public awareness of the plight of refugees, confront stereotypes and promote tolerance and understanding. More specifically, UNHCR has developed educational materials appropriate for children, including supplementary teaching guides that have been distributed in large quantities to schools in many countries.

88. With a view to raising awareness about the issue of racism and racial discrimination in Europe, UNHCR is running a European Union campaign promoting the integration of recognized refugees in Europe which involves print, radio and TV spots in all countries of the Union. The campaign's goal is to raise public sensitivity to the plight of refugees and promote advocacy against all forms of racism, xenophobia and ill-treatment of asylum seekers. To the same

purpose, the European Monitoring Centre on Racism and Xenophobia has published a brochure which has met with extraordinary interest from all sides. It is a pocket-sized booklet giving suggestions about what everybody can do in everyday life to combat racism and xenophobia and to achieve intercultural understanding. It has been published in English, French and German and it will be translated into the other official languages of the European Union. In this connection, the Monitoring Centre has suggested that a joint project should be organized with OHCHR to publish this document in all the languages of the world.

IV. FORMULATION OF RECOMMENDATIONS ON WAYS OF INCREASING THE EFFECTIVENESS OF UNITED NATIONS PROGRAMMES TO COMBAT RACISM AND XENOPHOBIA

89. A number of specific recommendations were made with regard to the abuse of the Internet. The Government of Cuba stated that the misuse of communication and information media such as the Internet to disseminate ideas based on racial superiority or hatred requires closer attention and concrete action by the international community. In this respect, the recommendations of the seminar on the use of the Internet organized as part of the Third Decade to Combat Racial Discrimination are a praiseworthy contribution (see also paragraph 68 above). Cuba suggested that consideration be given to the possibility of setting up an intergovernmental working group of the Commission on Human Rights to draft a code of ethics for Internet users and service providers and to decide on measures for prohibiting the dissemination of racist ideas via this medium.

90. The Dominican Union of Journalists for Peace suggested that the United Nations should propose a convention to regulate the use of the media and the Internet, exclusively with reference to the dissemination of racist ideas and racial hatred and to make the access by States to the international financial institutions conditional upon strict observance of that convention. Further suggestions include the holding of various regional symposia, seminars and consultations with a view to mobilizing the greatest possible number of persons involved in work to combat racism and racial discrimination.

91. The Government of the Islamic Republic of Iran also alluded to abuse of the Internet to disseminate racist ideas and suggested that the question of "Islamophobia" - the phenomenon of discrimination against and intolerance of Muslims - be given due consideration by both the Special Rapporteurs on racism, racial discrimination, xenophobia and related intolerance, and on religious intolerance.

92. The Department of Economic and Social Affairs of the United Nations considered that the question of religious intolerance, a phenomenon which is increasing, should be discussed by the Conference.

93. North-South XXI recommended that an international conference be held on the specific issue of migrant workers and that a survey of racist and discriminatory practices be undertaken, with a view to identifying the extent of indirect manifestations of racism. North-South XXI also proposed that a study of the direct root causes of racism should be proposed to non-governmental organizations by the competent United Nations bodies and

the resulting reports used to prepare a working paper and a publication under United Nations auspices. A comparative study of the legislation of the States of the South and North and of court decisions would make possible a concrete assessment of efforts by States to combat the various manifestations of racism. North-South XXI further suggested that the United Nations contact State bodies responsible for education with a view to reviving proposals for expanding the anti-racism component of school and university curricula. In this connection, a survey could be conducted on the contents of textbooks used in the different educational systems for the purpose of removing any expressions of racism. Lastly, North-South XXI suggested that an appeals body for the victims of discrimination be established within United Nations structures, with the participation of the competent non-governmental organizations, to ensure that racist acts are brought to the attention of the international community.

94. In the light of ethnic hatred, propaganda and incitement to ethnic killing in the Great Lakes region of Africa, Oxfam suggested that all Governments that prohibit and condemn racism, racial discrimination, xenophobia and related intolerance should reinvigorate their commitment to the relevant aspects of international human rights law and international humanitarian law. The capacity of the African human rights institutions and instruments should be strengthened, and the commitment from African heads of State and leaders to combating racism, racial discrimination, xenophobia and related intolerance should be sharpened. Oxfam suggested that the international community urge the OAU, African Governments and all other States Members of the United Nations to denounce any party suspected of violating the Geneva Conventions or the Genocide Convention, and to demonstrate their commitment to investigate any allegations or reports of ethnic persecution or ethnically motivated propaganda or killing.

V. REVIEW OF THE POLITICAL, HISTORICAL, ECONOMIC, SOCIAL, CULTURAL AND OTHER FACTORS LEADING TO RACISM AND XENOPHOBIA

95. Some Governments and organizations submitted information on the various manifestations of racism as well as the factors which lead to racism and racial discrimination, suggesting that these may warrant special attention at the World Conference.

96. The Government of Cuba mentioned that for a long time, the analysis of the subject of the elimination of racism and racial discrimination was inextricably linked to the fight against apartheid. The end of apartheid did not mean the disappearance of racial discrimination, racist practices and xenophobia around the world, particularly in the developed world, where the most alarming expression and the most insidious forms of racism are to be found. The institutionalization of exclusionist and xenophobic practices has assumed very serious proportions and political parties which advocate racial exclusion have been gaining ground in a number of countries. In addition to discrimination against racial and ethnic minorities, discrimination against and intolerance towards immigrants is on the rise. Immigrants are often the victims of verbal abuse and physical violence on the part of militants from

ultra-rightist parties and extremist and xenophobic organizations, as well as of growing institutional racism, discriminatory legislation and harsh police repression.

97. UNHCR mentioned that the root causes of refugee displacement are inextricably linked to conflict, persecution and the denial of human rights, factors which always involve some form of discrimination. People become refugees because they are persecuted on account of their racial or national background, their religious beliefs or political opinions, or their membership of a particular social group. In addition, refugees may become the victims of discriminatory treatment in the country where they seek, or where they have been granted, asylum. Discrimination has sometimes taken the form of denial of asylum to persons because of their nationality and differences in the treatment of asylum seekers based on racial, ethnic or religious grounds. Other factors which may lead to discrimination in host countries include xenophobia and prejudice among the local population, which in some countries has led to racially motivated attacks against refugees and asylum seekers.

98. Caucasians United for Reparations and Emancipation noted that manifestations of racism and racial discrimination against the African American population in the United States often stem from the legacies of plantation slavery. A large number of descendants of enslaved Africans in the United States and throughout the world are victims of a virulent, culturally ingrained racism, the origins of which are very old. It was suggested that in order to effectively address the root cause of racism and racial discrimination, the United Nations must undertake the task of studying and understanding the legacies of plantation slavery.

99. North-South XXI added that one of the factors leading to racial discrimination with regard to access to employment and housing, and treatment by the police, the judiciary and the school system was intolerance against "foreign-looking" individuals, particularly migrant workers.

VI. FORMULATION OF RECOMMENDATIONS FOR THE ADOPTION OF ADDITIONAL NATIONAL, REGIONAL AND INTERNATIONAL MEASURES TO COMBAT RACISM AND XENOPHOBIA

100. In their responses, some Governments and organizations highlighted some of the specific issues which could form the basis of recommendations for action-oriented measures, while others made very concrete proposals in this respect.

101. The Government of the United States of America was of the view that the World Conference can make a major contribution to the understanding of racial questions and pave the way for an international dialogue on the subject in coming decades; its approach should therefore be future-oriented and constructive.

102. The Peruvian Government, for its part, considered that the World Conference should formulate concrete recommendations making it possible to increase the effectiveness of existing machinery used to combat racial discrimination and to adopt additional measures at the national, regional and international levels to strengthen those already in place.

103. The Government of Turkey stated that the World Conference should address, in a comprehensive manner, all forms of racism, racial discrimination, xenophobia and related contemporary forms of intolerance. To this end, measures should be practical and action-oriented, and focus primarily on prevention, education, protection and the provision of effective remedies.

104. The Government of France suggested that measures to combat racism should focus on the issues pertaining to racism and the duty to remember racism and globalization, and racism and population movements. The French Government further suggested that emphasis be placed on the following: teaching of racial tolerance and inter-ethnic understanding; training of law enforcement personnel such as the police and judges; prevention an early warning procedures in connection with racism; increasing interaction between mechanisms for preventing and eliminating racism; and the role of the media and of the new means of communication such as the Internet.

105. The Government of the Islamic Republic of Iran recommended the organization of festivals and exhibitions with the active participation of different ethnic and linguistic groups, utilizing television and radio programmes and educational materials as a means to enhance national solidarity among the different groups in society and eliminate marginalization and discrimination.

106. As for concrete recommendations to combat racial discrimination at the international level, the Islamic Republic of Iran is of the view that the promotion of genuine dialogue, mutual understanding, a culture of tolerance, and enhanced cooperation and participation would contribute t the gradual realization of a "global civil society" in which the phenomena of racism, racial discrimination and xenophobia are doomed to complete eradication. In this connection, the Islamic Republic of Iran suggested that the international community proclaim the year 2001 as the year of "dialogue among civilizations". Such a commitment could strengthen resect for the human rights of all and promote the rights of persons belonging to national, ethnic, religious and linguistic minorities, in particular, key elements for peaceful coexistence, mutual understanding and tolerance among societies and the international community.

107. The Government of Finland is of the view that measures should take into account the gender perspective of racial discrimination as women belonging to minority groups often face the risk of being discriminated against on multiple grounds. It further recommended that any measures to combat racism and xenophobia should involve non-governmental organizations, as racism and racial discrimination mostly take place at the grass-roots level, at which NGOs are most active.

108. The United Nations Department for Economic and Social Affairs strongly recommends that representatives of all races, of all colours and all countries should participate not only in the Conference but also in the preparatory process, so as to demonstrate a global commitment to respect for diversity.

109. UNHCR suggested that appropriate strategies and measures be taken to combat discrimination and intolerance against refugees and asylum seekers.

110. Oxfam suggested that leaders publicly repudiate ethnic killing and the incitement to ethnic persecution as a tactic of war.

111. The Anti-Racism Information Service suggested that the following issues could provide input into recommendations: racial discrimination in the workplace; migration and related questions; neo-Nazism; Holocaust denial; the caste system; inclusion of anti-racist thought in education; negative consequences of international trade and globalization; the despoliation of nature and the overexploitation of natural resources; ethnocide, ethnic cleansing and violence against women in ethnic conflict.

112. The International League for Human Rights suggested that Anti-Semitism should be a subject of consideration and on the agenda of the World Conference.

GENERAL CONCLUSION

113. Despite the progress achieved, racism and racial discrimination have not disappeared and are assuming new forms. Efforts to combat these practices should therefore be continued and even intensified.

114. Since racism is not inborn but acquired from surroundings and rooted in ignorance, the emphasis should be on education in efforts to combat this scourge. States should concentrate first of all on education and awareness-arousing as means of prevention.

115. Moreover, universal and unconditional accession to the International Convention on the Elimination of All Forms of Racial Discrimination is of vital importance. States are also urged, in taking legislative action, to adopt laws to prevent and eradicate racial discrimination and to abrogate and modify any policy having the effect of inciting or perpetuating racial hatred.

116. Although many Governments are engrossed by important problems, such as national security, subsistence, development and internal conflicts, it is to be hoped that their participation in the World Conference and the adoption of effective and concrete measures will induce States to accord high priority to the prevention of racial discrimination, and thereby promote efforts to combat racism.

Annex

Initial list of publications on racism and xenophobia

In its resolution 1998/26, the Commission on Human Rights invited the High Commissioner for Human Rights to submit to the Commission at its fifty-fifth session and to the Preparatory Committee at its first session a compendium of references to publications and other works by experts and United Nations, regional and other bodies on the fight against racism, racial discrimination, xenophobia and related intolerance (para. 57).

An initial and not exhaustive list of publications and documents prepared by United Nations bodies and organs, as well as intergovernmental and regional organizations, is presented below.

Summary

I. United Nations bodies

A. Background publications

B. Human rights fact sheet series

C. Reports of the World Conference to Combat Racism and Racial Discrimination

D. Seminars

E. Reports and studies

F. Committee on the Elimination of Racial Discrimination

G. Second Decade to Combat Racism and Racial Discrimination (1983-1993)

H. Third Decade to Combat Racism and Racial Discrimination (1993-2003)

II. United Nations High Commissioner for Refugees

A. Basic documents

B. Specific publications

III. International Labour Organization

A. Basic documents

B. General publications

C. Specific publications

IV. United Nations Educational, Scientific and Cultural Organization

A. Basic documents

B. General publications

C. Specific publications

V. International Organization for Migration

VI. Council of Europe

VII. European Union

VIII. Organization for Security and Cooperation in Europe

IX. Organization of African Unity

X. Organization of American States

I. UNITED NATIONS BODIES

A. Background publications

1987: *Human Rights: Status of International Instruments* (ST/HR/5; Sales No. E.87.XIV.2).

[The booklet entitled *International Instruments: Chart of Ratifications* updates the 1987 publication. The Chart at 30 December 1997 is referenced as ST/HR/4/Rev.16].

1993: *Human Rights Bibliography. United Nations documents and publications 1980-1990*, 5 vols. (Sales No. GV.E.92.0.16).

United Nations Reference Guide in the Field of Human Rights (ST/HR/6; Sales No. E.93.XIV.4).

1994: *Human Rights: A Compilation of International Instruments*, vol. I (parts I and II). *Universal Instruments* (ST/HR/1/Rev.5 (Vol. I); Sales No. E.94.XIV.1).

United Nations Action in the Field of Human Rights (ST/HR/2/Rev.4; Sales No. E.94.XIV.11).

1996: *Human Rights on CD-ROM: Bibliographical and International Instruments* (Sales No. GV.E.97.0.7).

The CD version of the printed human rights bibliography (1980-1995) contains over 14,000 references and also includes the full text of 95 international instruments. Searches can be conducted in English, French and Spanish.

1997: *Human Rights: A Compilation of International Instruments*, vol. II, *Regional Instruments* (ST/HR/1/Rev.5 (Vol. II); Sales No. E.97.XIV.1).

B. Human Rights Fact Sheet Series

1989: *Programme of action for the Second Decade to Combat Racism and Racial Discrimination* (Fact Sheet No. 5).

1991: *The Committee on the Elimination of Racial Discrimination* (Fact Sheet No. 12).

1992: *The rights of migrant workers* (Fact Sheet No. 24).

1994: *Human rights and refugees* (Fact Sheet No. 20).

Discrimination against women: The Convention and the Committee (Fact Sheet No. 22).

1996: *The rights of the child* (Fact Sheet No. 10 (Rev.1)).

1997: *The rights of indigenous peoples* (Fact Sheet No. 9 (Rev.1)).

1998: *Minority rights* (Fact Sheet No. 18 (Rev.1)).

C. Reports of the World Conference to Combat Racism and Racial Discrimination

1978: *Report of the World Conference to Combat Racism and Racial Discrimination*, Geneva, August 1978 (A/CONF/92/40; Sales No. E.79.XIV.2).

1983: *Report of the second World Conference to Combat Racism and Racial Discrimination* (A/CONF/119/26; Sales No. E.83.XIV.4).

D. Seminars

1971: *Measures to be taken on the national level for the implementation of United Nations instruments aimed at combating and eliminating racial discrimination and for the promotion of harmonious race relations: Symposium on the evils of racial discrimination*, Yaoundé (Cameroon) (ST/TAO/HR/42).

The participation of women in economic life (with reference to the implementation of article 10 of the Declaration on the Elimination of Discrimination against Women and of General Assembly resolution 2716 XXV), Libreville (Gabon) (ST/TAO/HR/43).

The dangers of a recrudescence of intolerance in all its forms and the search for ways of preventing and combating it, Nice (France), (ST/TAO/HR/44).

1974: *The promotion and protection of human rights of national, ethnic and other minorities*, Ohrid (Yugoslavia) (ST/TAO/HR/49).

1975: *The human rights of migrant workers*, Tunis (Tunisia) (ST/TAO/HR/50).

1979: *Seminar on recourse procedures available to victims of racial discrimination and activities to be undertaken at the regional level*, Geneva (Switzerland) (ST/HR/SER.A/3).

1980: *Seminar on political, economic, cultural and other factors underlying situations leading to racism including a survey of the increase or decline of racism and racial discrimination*, Nairobi (Kenya) (ST/HR/SER.A/7).

1981: *Seminar on recourse procedures and other forms of protection available to victims of racial discrimination and activities to be undertaken at national and regional levels*, Managua (Nicaragua) (ST/HR/SER.A/11).

1982: *Seminar on recourse procedures and other forms of protection available to victims of racial discrimination and activities to be undertaken at the national and regional levels, with special reference to Asia and the Pacific*, Bangkok (Thailand) (ST/HR/SER.A/13).

1986: *Seminar on international assistance and support to peoples and movements struggling against colonialism, racism, racial discrimination and apartheid*, Yaoundé (Cameroon) (ST/HR/SER.A/19).

1989: *The effects of racism and racial discrimination on the social and economic relations between indigenous peoples and States*, Geneva (Switzerland) (HR/PUB/89/5).

1991: *Political, historical, economic, social and cultural factors contributing to racism, racial discrimination and apartheid*, Geneva (Switzerland) (HR/PUB/91/3).

1996: *Report of the United Nations seminar to assess the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination with particular reference to articles 4 and 6* (E/CN.4/1997/68/Add.1).

1997: *Seminar on immigration, racism and racial discrimination: report of the Secretary-General* (E/CN.4/1998/77/Add.1).

Report of the expert seminar on the role of the Internet in the light of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination (E/CN.4/1998/77/Add.2).

E. Reports and Studies

1976: Hernán Santa Cruz, *Study on racial discrimination in the political, economic and cultural spheres* (E/CN.4/Sub.2/370/Rev.1; Sales No. E.76.XIV.2).

1979: Francesco Capotorti, *Study on the rights of persons belonging to ethnic, religious and linguistic minorities* (E/CN.4/Sub.2/384/Rev.1; Sales No. E.78.XIV.1).

1987: José R. Martínez Cobo, *Study of the problem of discrimination against indigenous populations: Conclusions, proposals and recommendations* (E/CN.4/Sub.2/1986/7/Add.4; Sales No. E.86.XIV.3).

1988: Asbjørn Eide, *Study on the achievements made and obstacles encountered during the First Decade to Combat Racism and Racial Discrimination - Final progress report with suggestions for further collection of information* (E/CN.4/Sub.2/1987/6).

1989: Elizabeth Odio Benito, *Elimination of all forms of intolerance and discrimination based on religion or belief* (Human Rights Study Series No. 2; Sales No. E.89.XIV.3).

1991: Francesco Capotorti, *Study on the rights of persons belonging to ethnic, religious and linguistic minorities* (Human Rights Study Series No. 5; Sales No. E.91.XIV.2).

1992: Leandro Despouy, *Human rights and disabled persons* (Human Rights Study Series No. 6; Sales No. E.92.XIV.4).

1997: Erica-Irene Daes, *Protection of the heritage of indigenous peoples* (Human Rights Study Series No. 10; Sales No. E.97.XIV.3).

F. Committee on the Elimination of Racial Discrimination

Two studies initially prepared for the Second World Conference to Combat Racism and Racial Discrimination:

1985: *Teaching, education, culture and information as means of eliminating racial discrimination. Article 7 of the Convention on the Elimination of Racial Discrimination* (CERD/3; Sales No. E.85.XIV.3).

1986: *Positive measures designed to eradicate all incitement to, or acts of, racial discrimination. Article 4 of the Convention on the Elimination of Racial Discrimination* (CERD/2; Sales No. E.85.XIV.2).

G. Second Decade to Combat Racism and Racial Discrimination (1983-1993)

1991: *Second Decade to combat racism and racial discrimination: Global compilation of national legislation against racial discrimination*, United Nations, New York (HR/PUB/90/8).

H. Third Decade to Combat Racism and Racial Discrimination (1993-2003)

1996: *Model national legislation for the guidance of governments in the enactment of further legislation against racial discrimination* (HR/PUB/96/2).

II. UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

A. Basic documents

1995: *Collection of international instruments and other legal texts concerning refugees and displaced persons* (2 volumes; not sold separately) (ISBN 92-1-100713-5).

1996: *Conclusions on the international protection of refugees adopted by the Executive Committee of the UNHCR Programmes* (published annually) (HCR/IP/2/ENG/Rev.1998).

United Nations resolutions and decisions relating to the Office of the United Nations High Commissioner for Refugees (annual updates).

B. Specific publications

1995: *Detention of asylum-seekers in Europe* (European Series, Vol. 1, No. 4) (ISBN 92-1-100707-0).

--- *Sexual violence against refugees: guidelines on prevention and response.*

III. INTERNATIONAL LABOUR ORGANIZATION

A. Basic documents

International Labour Standards, Fourth (revised) edition, 1998 (ISBN 92-2-110330-7).

International Labour Conventions and Recommendations, 1919-1995, 1996, set of 3 volumes (ISBN 92-2-109192-9).

ILOLEX on CD-ROM. A database of international labour standards, 1997 edition (Windows version: ISBN 92-2-010604-3; DOS version: ISBN 92-2-010608-6). A full-text trilingual (English/French/Spanish) on international labour standards.

B. General publications

1. Studies prepared by a Committee of Experts on the Application of Conventions and Recommendations

1998: *Vocational rehabilitation and employment of disabled persons.*

1999: *Migrant workers.*

2. Report of the Committee on Legal Issues and International Labour Standards

[Deals with matters relating to the protection of human rights and more specifically the elimination of discrimination based on sex and race.]

3. Series

Migration population.

International migration papers.

Labour management relations.

[These three series contain articles on racial discrimination in the labour market against migrant workers and ethnic minorities.]

4. Seminars on immigration, racism and racial discrimination

1997: Roger Zegers de Beijl, *Combating discrimination against migrant workers: international standards, national legislation and voluntary measures. The need for a multi-pronged strategy* (Sa Geneva: SbILO, Sc 1997).

1998: *La lutte contre la discrimination à l'encontre des travailleurs migrants et des minorités ethniques dans le monde du travail* (Sa Geneva: SbBIT, Sc 1998).

C. Specific publications

1. Child labour

1988: A. Bequele and J. Boyden, *Combating child labour* (ISBN 92-2-106388-7).

1995: A. Bequele and W.E. Myers, *First things first in child labour: eliminating work detrimental to children* (ISBN 92-2-109197-X).

1998: *Child labour: targeting the intolerable*, International Labour Conference (86th session) (ISBN 92-2-110328-5).

2. Women workers

1995: *Women workers: an annotated bibliography* (1983-1994), International Labour Bibliography, No. 14 (ISBN 92-2-109201-1).

1997: S. Epstein, *We can make it: stories of disabled women in developing countries* (ISBN 92-2-110327-7).

IV. UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

A. Basic documents

--- *UNESCO's standard-setting instruments* (regular publication). Supplement No. 3 (ISBN 92-3-102942-8).

1996: *UNESCO and human rights*.

[Documents of selected meetings related to human rights organized or co-organized by UNESCO (SHS.96/WS/8).]

B. General publications

--- *Annual report by the Director General on the application of the resolution concerning the implementation of the Declaration on Race and Racial Prejudice*.

--- *Annual report by the Director General on implementation of resolution concerning UNESCO's contribution to peace and its task with respect to the promotion of human rights and the elimination of colonialism and racism*.

C. Specific publications

1985: Richard Yves Quetel, *Bibliographie annotée de publications sur les origines et la nature des inégalités en matière d'éducation* (ED 86/WS/71; no. de catalogue: 70550).

1986: Michael Banton, *The historical context of racial classification*, UNESCO yearbook on peace and conflict studies (R 172.4.001.5 UNE; catalogue No. 83702).

1988: Harold Wolpe, *Race, class and the apartheid state* (323.1 (68) RAC; catalogue No. 78691.

1991: Suzanne Mollo-Bouvier and Yvonne Pozo-Medina, *La discrimination et les droits de l'homme dans les matériels didactiques*, Educational Studies and Documents, New Series (vol. 57, catalogue No. 88737).

1992: Robert Coulter, *Les indiens sur la scène internationale: Les premiers contacts avec l'ONU (1974-1983)*, Série Destins croisés (008(7/8)DES; no. de catalogue: 96028).

1995: Michel Conche, *La tolérance française et sa signification universelle*, Série: Tolérance j'écris ton nom (301.162.3 (04) TOL; no. de catalogue: 103922).

1998: Katérina Stenou, *Images de l'autre: la différence, du mythe au préjugé*, Paris, UNESCO/Editions du Seuil (no. de catalogue: 110887)

1986: Albert Memmi, "*Racism today 'us' and 'them'*", *UNESCO Courrier*, XXXIX, 5/6.

1992: Sepamla Sipho, "*Racial discrimination in cultural life*", *UNESCO Courrier*, XLV, 2.

1993: Michel Wieviorka, "*The ruses of racism*", *UNESCO Courrier*, XLVI, 2.

1996: Michel Wieviorka, "*The seeds of hate*", *UNESCO Courrier*, 49, 3.

Etienne Balibar, "*Racism and Anti-racism*", loc. cit.

Albert Jacquard, "*An unscientific notion*", loc. cit.

"*Race and racial prejudice*", loc. cit.

"*The roots of racism*", loc. cit.

V. INTERNATIONAL ORGANIZATION FOR MIGRATION

--- *Overview of international migration.*

[Programmes that Governments and cooperating organizations develop to regulate the migration process and support migrants and the communities in which they live (http://www.iom.ch).]

1995: *Trafficking and prostitution: the growing exploitation of migrant women* (ISBN 92-9068-048-2 (c)).

1996: "*Organized crime moves into migrant trafficking*", *Trafficking in migrants*, No. 11, June 1996.

"*Combating migrant trafficking through legislation*", *Trafficking in migrants*, No. 12, September 1996.

[A quarterly compilation of information from the media, Governments, intergovernmental and non-governmental organizations.]

1997: *CIS Migration report 1996*.

[Focusing on the Commonwealth of Independent States and neighbouring States (http://www.iom.ch).]

--- *International Migration*.

[A quarterly publication covering theoretical and applied aspects of international migration.]

VI. COUNCIL OF EUROPE

A. Official publications

1991: *Community and ethnic relations in Europe. Final report of the Community Relations Project*, Strasbourg, Human Rights Information Centre.

1992: Antonio Perotti, *Action to combat intolerance and xenophobia in the activities of the Council of Europe's Council for cultural cooperation 1969-1989*, Strasbourg, Human Rights Information Centre.

1994: Pieter Batelaan, *Education and tolerance in multicultural groups*, Strasbourg, Human Rights Information Centre.

1995: *The school in the fight against intolerance and xenophobia. Donaneschingen Seminar No. 68*, Strasbourg, Human Rights Information Centre.

Ceasar Birzea, *Human rights and minorities in the new European democracies: educational and cultural aspects*, Report of the Lohusalu (Estonia) Workshop (23-28 October 1994) (ISBN 92-871-2975-4).

Tackling racism and discrimination: practical action at the local level, Directorate of Social and Economic Affairs.

B. Documents of the European Commission against Racism and Intolerance (ECRI)

These are published under the auspices of the Council of Europe and are available in the Human Rights Information Centre at Strasbourg.

ECRI's guiding principles and future role.

Legal measures to combat racism and intolerance in the member States of the Council of Europe.

Combating racism, xenophobia, anti-Semitism and intolerance (ECRI general policy recommendation No. 1).

Specialized bodies to combat racism, xenophobia, anti-Semitism and intolerance at national level (ECRI general policy recommendation No. 2).

C. Miscellaneous

Current activities of the Council of Europe in the field of combating racism and intolerance.

Recommendations adopted by the Parliamentary Assembly of the Council of Europe in the field of combating racism and intolerance.

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VII. EUROPEAN UNION

1986: *Declaration of the European Parliament on Racism and Xenophobia, 25 June 1986.*

1992: Petros N. Stangos, "La lutte de la Communauté contre le racisme et la xénophobie", *Revue de l'Union Européenne*, No. 354, January 1992.

1997: *Council regulation (EC) No. 1035/97 of 2 June 1997 establishing a European Monitoring Centre on Racism and Xenophobia.*

VIII. ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE

1991: *"Report on an expert meeting on national minorities (1-19 July 1991)" in* Dominic McGoldrick (ed.), *Documents on the human dimension of the OSCE*, Warsaw, OSCE, 1995, pp. 63-69.

1993: U. Gibson and J. Niessen, *The CSCE and the protection of the rights of migrants, refugees and minorities*, Churches Commission for migrants in Europe, Briefing paper No. 11.

1994: F. Benoit-Rohmer and H. Hardeman, *The minority question in Europe: Towards the creation of a coherent European regime*, (CEPS Paper No. 55), Brussels, Centre for European Policy Studies.

1995: A. Philips and A. Rosas, *The OSCE and the issue of national minorities*, Abo Akademi University Institute for Human Rights and Minority Rights Group International.

--- *Annual reports*, Office of Democratic Institutions and Human Rights (ODIHR), Warsaw.

Reports of the Human Dimension Seminars organized by the ODIHR:

- *Tolerance (16-20 November 1992).*

- *Migration, including refugees and displaced persons (20-23 April 1993).*

- *Case studies on national minorities issues (24-28 May 1993).*

- *Migrant workers (21-25 March 1994).*

1997: *Bibliography on the OSCE High Commissioner on national minorities (Documents, speeches and related publications)*, 3rd edition, Foundation on Inter-Ethnic Relations, The Hague.

IX. ORGANIZATION OF AFRICAN UNITY

1989: Medard R. Rwelamira, "*Two decades of the 1969 OAU convention governing the specific aspects of the refugee problem in Africa*", *International Journal of Refugee Law*, vol. 1, pp. 557-561.

1992: Gino J. Naldi, Documents of the OAU, London, New York: Mansell.

[This publication contains several important human rights documents including the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa; the 1981 African Charter on Human and Peoples' Rights; the 1988 rules of procedure of the African Commission on Human and Peoples' Rights, and the 1990 African Charter on the Rights and Welfare of the Child.]

1993: Claude E. Welch Jr., "*Human rights and African women: a comparison of protection under two major treaties*", *Human Rights Quarterly*, vol. 15, pp. 549-574.

X. ORGANIZATION OF AMERICAN STATES

1992: *Basic documents pertaining to human rights in the Inter-American system (Updated to July 1992)*, Washington, D.C., General Secretariat of the OAS (OEA/ser.L/V/II/82, doc. 6, rev.1; 1.VII.92).

1993: *Inter-American Yearbook on Human Rights*.

[This volume contains all the documents and information concerning the activities of the OAS in the field of promotion and protection of human rights.]

--- *Annual reports of the Inter-American Commission on Human Rights*.